

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Department – Guntur District – Sanction of decretal amount of Rs.4.18 Lakhs under contingency fund to deposit the same in the Principal Senior Civil Judge, Guntur in E.P.No.579/2009 in O.S.No.134/93 filed by Sri D.Venkaiah Chowdary, Contractor for work "Metalling road from Penumudi to Lankavanidibba road from KM 10/0 to 17/0" - Sanctioned - Orders – Issued.

TRANSPORT, ROADS AND BUILDINGS (ROADS.VI) DEPARTMENT

G.O.Rt.No: 403

Dated:04-05-2011

Read the following

1. From the Engineer-in-Chief (R&B), Roads, Hyd., Letter No.038659/DEE 1/AEE 1/2010, Dated 29-07-2010.
2. From the Engineer-in-Chief (R&B), Roads, Hyd., Letter No.038659/DEE 1/AEE 1/2010, Dated 29-12-2010.

-X-X-X-X-X-

ORDER:

In the reference 1st read above, the Engineer-in-Chief (R&B) Roads has stated that the work "Metalling road from Penumudi to Lankavanidibba road from KM 10/0 to 17/0" was awarded to Sri D.Venkaiah Chowdary, Contractor vide agreement No.67/88-82. During execution, the QC staff as well as Vigilance and Enforcement staff have inspected the work and found lesser thickness in the crust of the road and directed the contractor to rectify the defects noticed by the Vigilance and Enforcement. But the contractor did not turn up to rectify the defects and ultimately the work was determined. The Contractor filed OS No.134/93 in Principal Senior Civil Judge Court, Tenali. The Hon'ble Principal Senior Civil Judge, Tenali pronounced judgement in OS No.134/93 dated 12-7-1993 on 19-4-2007, decreed the suit to a tune of Rs.1,44,435/- allowing the claims No.I, III, IV totally and allowing the claim NO.V partly for Rs.70,000/- and interest at 12% per annum from the date of filing of the suit till the date of decree and at 6% per annum from the date of decree till the date of realization of payment.

2. Aggrieved by the above, the Contractor has approached the Hon'ble High Court of AP and filed AS No.352/07 for rest of claims and the same is pending in the Hon'ble High Court of A.P. The contractor has filed EP No.579/09 in OS No.134/93 in Senior Civil Judge Court, Guntur praying the court to implement the court decree. The properties of the office of the Superintending Engineer (R&B) Guntur were attached in this suit. The total decretal amount to be deposited in the Principal Senior Civil Judge Court, Guntur in E.P.No.579/09 in OS No.134/93 is 4, 17,503.00. The ENC (R&B) Roads has stated that the Government Pleader for Appeals in his letter has informed that no appeal was filed against the judgement in O.S.No.134/93 by the State. Hence, the decretal amount as exhibited in the judgement of the Principal Senior Civil Judge, Tenali is to be deposited in the court in E.P.No.579/09 in OS.No.134/93. The ENC (R&B) Roads has, therefore, requested to sanction the decretal amount of Rs.4.18 Lakhs under contingency funds to deposit the same in the Principal Senior Civil Judge Court, Guntur to avoid further legal complications.

3. Government after careful examination of the matter hereby sanction an amount of Rs.4, 18,000/- (Rupees Four Lakhs Eighteen thousands only) to deposit the same in the Principal Senior Civil Judge, Guntur in connection with the E.P.No.579/09 in O.S.No.143/93 filed by Sri D.Venkaiah Chowdary, Contractor for the work "Metalling road from Penumudi to Lankavanidibba road from KM 10/0 to 17/0".

P.T.O.

4 The expenditure sanctioned in Para (3) above shall be debited to the Head of Account - "5054 Capital outlay on Roads and Bridges – 04 District and other Roads – MH.800 other Expenditure – GH.11 Normal State Plan - SH(07) Major District Roads - 530 Major works – 531 Other Expenditure (Charged)" and shall be met initially as an advance from the contingency fund. Orders regarding release of funds from contingency fund will be issued by Finance (BG.I) Department separately.

5. The Engineer-in-Chief (R&B), State Roads, Hyderabad, shall send necessary proposals to Government at appropriate time for obtaining supplementary grant to recoup the advance sanctioned from the Contingency Fund during the current Financial Year 2011 – 2012.

6. This order issues with the concurrence of Finance (Expr.PWD) Department, vide their U.O.No.5424/172/Expr.Pw/A2/2011, Dt:16-03 -2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Engineer-in-chief (R&B), State Roads, Hyderabad

The Superintending Engineer (R&B) Vijayawada.

The Prl. Account General, Andhra Pradesh, Hyderabad,

The Pay and Accounts officer, Vijayawada.

The Director of Works Accounts, Hyderabad,

Copy to:

The Finance (Exp.PW) Department.

The Finance (BG.I) Department

The P.S. to the Principal Secretary to Government, T,(R&B) Dept.,
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER